

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION**

JAMES M. ASSEY AND JOAN P.  
ASSEY

Plaintiffs,

vs.

AMERICAN HONDA MOTOR CO.,  
INC.

Defendant.

Civil Action No. 3:22-cv-02647-JDA

**PLAINTIFFS' OBJECTIONS TO  
DEFENDANT'S RULE 26(a)(3)  
PRETRIAL DISCLOSURES**

Plaintiffs James M. Assey and Joan P. Assey (collectively "Plaintiffs"), by and through the undersigned counsel, object to the admissibility of the materials from American Honda Motor Co., Inc. ("AHM") as indicated in the below table for the reasons detailed below.

Deponent / Exhibit	Objectionable Lines / Bates Numbers	Comments
D6 (a, c, and d)	SCHP 000001-000013 SCHP 000192-000200 SCHP 000201-000202	FRE 801
D7	SCDPS911 000001-000022	FRE 801
D8	Irmo Fire Dept 000001	FRE 801
D9	Lexington EMS 000001-000008	FRE 801
D10, D11	Allstate 000001-000014; Liberty Mutal Insurance 000001-000771	These exhibits involve auto insurance for the parties involved and insurance for parties outside this litigation. Evidence that a person was or was not insured is not admissible.
D12, D13		Objection; as to irrelevant hearsay portions regarding speeds pending the Court's ruling on

Deponent / Exhibit	Objectionable Lines / Bates Numbers	Comments
		Plaintiffs' Motion <i>in Limine</i> as regards admissibility of speeds. FRE 801.
D18, D19	Midlands 001-009; PhilHughes 001-055	FRE 801
D171-174		Objection to the extent any of these exhibits have not been produced to Plaintiffs. Plaintiffs request these exhibits be produced for review and consideration prior to their use at trial.
D179		FRE 401-403
D183-184		Objection to the extent any of these exhibits have not been produced to Plaintiffs. Plaintiffs request these exhibits be produced for review and consideration prior to their use at trial.
D187-196		Objection to the extent any of these exhibits have not been produced to Plaintiffs. Plaintiffs request these exhibits be produced for review and consideration prior to their use at trial; D194 contains ID only articles and papers and as such are inadmissible. D196 is a deposition transcript and as such is inadmissible.
D199-208		Objection to the extent any of these exhibits have not been produced to Plaintiffs. Plaintiffs request these exhibits be produced for review and consideration prior to their use at trial. D208 contains ID only articles and papers and as such are inadmissible.
D263-265		Objection to the extent any of these exhibits have not been produced to Plaintiffs. Plaintiffs request these exhibits be produced for review and consideration prior to their use at trial.
D274		Objection to the extent any slide contains material not already reviewed or inspected as part of pre-trial exchanges.
Corey Kracht deposition designations		No objections; No Counter Designations

### **Exhibits**

The exhibits listed in the table above which AHM has listed as trial exhibits are inadmissible as evidence and exhibits for the reasons stated above and because the documents are

otherwise improper, cumulative or irrelevant to any issue to be tried in this case. Notwithstanding the referenced objections, Plaintiffs expressly reserve the right to object to any exhibit on grounds of relevance under Fed. R. Evid. 402 or 403 at the appropriate time. Further, Plaintiffs' objections for all of Defendant's exhibits are subject to amendment at any time upon discovery that an exhibit Defendant intends to offer does not match the document upon which Plaintiffs has asserted their objection. For documents identified on Defendant's exhibit list that are not presently in Plaintiffs' possession, Plaintiffs object to such exhibits upon all available grounds for exclusion, until such time as a copy of such exhibits have been provided to Plaintiffs.<sup>1</sup> Lastly, Plaintiffs object to the numerous exhibits entries that do not properly identify individual exhibits but multiple, separate documents that should be identified separately.

*[Signature page to follow]*

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<sup>1</sup> Defendant states in their pre-trial disclosures that they reserve the right to use and offer into evidence English translations of any document listed that was produced in Japanese language [Dkt. No. 143, fn. 1, p. 6]. Plaintiffs object to the introduction of any English translation, which must be a certified translation, before Plaintiffs have a chance to review the translation and corroborate its authenticity.

Respectfully submitted,

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Dated: April 23, 2025